

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION AT COLUMBUS**

JAVIER H. ARMENGAU,

Petitioner,

: Case No. 2:19-cv-1146

- vs -

Chief Judge Algenon L. Marbley  
Magistrate Judge Michael R. Merz

WARDEN, London  
Correctional Institution,

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Respondent.

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**DECISION AND ORDER**

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This habeas corpus case is before the Court on Petitioner's Motion Requesting Permission To Submit Additional And Recent Authority And Request To File Under Seal (ECF No. 132). The proposed additional authority is *Hewitt-El v. Burgess*, \_\_\_ F.4<sup>th</sup> \_\_\_, 2022 U.S. App. LEXIS 31904 (6<sup>th</sup> Cir. Nov. 18, 2022), and *United States v. Jackson*, 2022 U.S. Dist. LEXIS 209493 (D. Vermont Nov. 18, 2022).

There is no justification for filing copies of reported opinions under seal since they are already public. However, in the body of the Motion Petitioner adverts to facts relating to his family which do not relate to the litigation of this case. Applying *Shane Group, Inc., v. Blue Cross Blue Shield of Michigan*, 825 F.3d 299, 306 (6<sup>th</sup> Cir. 2016), the Magistrate Judge finds they are appropriately sealed from public view and has orally ordered that the Motion itself be maintained

under seal.<sup>1</sup>

November 22, 2022.

*s/ Michael R. Merz*  
United States Magistrate Judge

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<sup>1</sup> Why Petitioner himself filed the Motion on the open docket without affording the Court an opportunity to consider sealing beforehand is unknown. If the Magistrate Judge has misunderstood Petitioner's intent, he should advise the Court forthwith.